

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MAY 09 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SGT. JEFFREY S. SARVER,

Plaintiff - Appellant,

v.

NICOLAS CHARTIER; SUMMIT
ENTERTAINMENT, LLC; KATHRYN
BIGELOW; THE HURT LOCKER LLC;
MARK BOAL; GREG SHAPIRO;
VOLTAGE PICTURES, LLC;
GROSVENOR PARK MEDIA, LP;
KINGSGATE FILMS INC.; TONY
MARK; DONALL MCKUSKER; FIRST
LIGHT PRODUCTIONS INC.,

Defendants - Appellees.,

_____ ,

PLAYBOY ENTERPRISES, INC.,

Defendant.

No. 11-56986

D.C. No. 2:10-cv-09034-JHN-JC
Central District of California,
Los Angeles

ORDER

SGT. JEFFREY S. SARVER,

Plaintiff - Appellant,

v.

NICOLAS CHARTIER; SUMMIT
ENTERTAINMENT, LLC; KATHRYN

No. 12-55429

D.C. No. 2:10-cv-09034-JHN-JC
Central District of California,
Los Angeles

BIGELOW; THE HURT LOCKER LLC;
MARK BOAL; GREG SHAPIRO;
VOLTAGE PICTURES, LLC;
GROSVENOR PARK MEDIA, LP;
KINGSGATE FILMS INC.; DONALL
MCKUSKER; TONY MARK; FIRST
LIGHT PRODUCTIONS INC.,

Defendants - Appellees,

and

PLAYBOY ENTERPRISES, INC.,

Defendant.

Before: O'SCANNLAIN, PAEZ, and IKUTA, Circuit Judges.

The submission of this appeal is vacated and deferred pending the disposition of the petition for rehearing en banc in *Makaeff v. Trump University, LLC*, ---F.3d---, 2013 WL 1633097 (9th Cir. 2013).